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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/774,972	02/09/2004	Gary S. Tompa	16592-3	2551

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EXAMINER	
STONE, JENNIFER A	
ART UNIT	**PAPER NUMBER**
2636	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/774,972	TOMPA ET AL.	
	Examiner	Art Unit	
	Jennifer A. Stone	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 February 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *8/27/04; 2/9/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 11, 14-16, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Irwin et al. (US 6,300,871).

For claim 1, Irwin discloses a detection apparatus comprising: a detector (Fig. 1, item 12; col 2, lns 44-47) and a portable computer communicatively connected to the detector (col 3, lns 36-44; col 5, lns 16-18; Fig. 8), wherein the detector transmits a signal to the portable computer when a detection is made by the detector, and the portable computer produces an alarm in response to the signal (col 6, lns 19-32).

For claim 2, Irwin discloses the detection apparatus to include a signal wherein the signal is a detection signal, and the detector comprises a detector element that outputs an unprocessed signal (col 2, lns 44-52), and a digital signal processing device (col 5, lns 42, 43; Fig. 19, items 44, 446) that converts the unprocessed signal from the detector element into a processed signal, wherein the processed signal is transmitted to the portable computer (col 19, lns 42-48).

For claim 11, the portable computer is a microprocessor (Fig. 9, item 192; col 3, lns 36-41; col 11, lns 39-41).

For claim 14, Irwin discloses a communication device communicatively connected to the portable computer (Fig. 1, item 20; col 6, lns 34, 35).

For claim 15, Irwin discloses the portable computer transmits first information via the communication device (col 6, lns 36-38).

For claim 16, the portable computer receives second information via the communication device (col 6, lns 40-43; Fig. 1, items 20, 22).

For claim 18, the detection apparatus's communication device communicates via a cellular, Bluetooth, satellite, radio, infrared, WiFi, Universal Serial Bus, parallel, or serial connection (col 5, lns 60-66).

3. Claims 19-22, 24, 25, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Irwin et al. (US 6,300,871).

For claim 19, Irwin discloses a method of detecting comprising: generating a detection signal with a detector (Fig. 1, item 12); transmitting the detection signal to a portable computer communicatively connected to the detector (col 6, lns 6-10); comparing the detection signal to a threshold level (col 6, lns 20-25); and producing an alarm signal with the portable computer if the detection signal exceeds the threshold level (col 6, lns 28-32).

For claim 20, generating the detection signal comprises converting an unprocessed signal (Fig. 19, items 444, 446) from a detection element into a processed signal with a digital signal processor, and outputting the processed signal as the detection signal (col 19, lns 42-48)

For claim 21, the claim is interpreted and rejected for the same reasons as stated in the rejection of claims 14 and 15 as stated above.

For claim 22, the claim is interpreted and rejected for the same reasons as stated in the rejection of claim 16 as stated above.

For claim 24, the claim is interpreted and rejected for the same reasons as stated in the rejection of claim 18 as stated above.

For claim 25, Irwin discloses generating a second detection signal from a second detector (Fig. 1, item 12; col 5, lns 63-65); transmitting the second detection signal to the portable computer communicatively connected to the second detector (col 6, lns 6-10); and processing the second detection signal with the portable computer (col 6, lns 19-23; Fig. 6, item 192; col 11, lns 35-41).

For claim 33, the threshold level is adjustable (col 2, lns 4-8; Fig. 8, items 142, 144; col 10, lns 66, 67).

4. Claim 34 is rejected under 35 U.S.C. 102(b) as being anticipated by Irwin et al. (US 6,300,871).

Irwin discloses a method of detecting comprising: generating a detection signal with a detector; transmitting the detection signal to a portable computer communicatively connected to the detector; analyzing the detection signal; and producing a specified response (col 6, lns 20-32).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin et al. (US 6,300,871).

For claim 17, Irwin discloses that the first information includes the signal and the second information includes a request (col 6, lns 34-48). It would have been obvious to one of ordinary skill in the art, at the time the invention was made that if a request is sent, a command is sent, as the second signal, requiring the need for additional information. In this case, additional information includes current temperature information from all stations.

For claim 23, the claim is interpreted and rejected for the same reasons as stated in the rejection of claim 17 as stated above. In addition, the first information includes the alarm signal (col 6, lns 35-37).

7. Claims 3-5, 9, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin et al. (US 6,300,871), and further in view of Peeters (US 2004/0119591).

For claim 3, Irwin discloses the portable computer's digital signal processing device to output a detection signal if the processed signal is above a threshold level (col 2, lns 4-8); however, the detecting device neither produces it's own alarm nor determines if the processed signal is above a threshold level. Peeters, on the other hand, does disclose a detector that produces it's own alarm and determines if the processed signal reaches a threshold level (paragraph 0069, lns 1-7). It would have been obvious to one of ordinary skill in the art, at the time the invention was made to

disclose a detector that produces it's own alarm if the processed signal reaches or exceeds a threshold level so that an individual in close proximity of the portable device acknowledges an alarming condition.

For claim 4, Irwin discloses an adjustable threshold level (col 2, lns 4-8; Fig. 8, items 142, 144; col 10, lns 66, 67).

For claim 5, Irwin does not disclose a detector selected from the group consisting of a radiation detector, a biometric sensor, an RF sensor, a chemical detector, and a biological detector. However, Peeters discloses a radiation detector (parag 0072, 0073). It would have been obvious to disclose a radiation detector so that an individual working around radioactive materials is alerted when radiation either reaches or exceeds a predetermined threshold.

For claim 9, Irwin does not disclose a PDA; however, Peeters discloses a portable computer to be a PDA (parag 0030, lns 1-10). It would have been obvious to use a PDA in lieu of a portable computer for convenience purposes; the PDA tracks personal data while a sensor monitors the environment.

For claim 12, Irwin does not disclose a location device communicatively connected to the portable computer; however, Peeters discloses this feature (parag 0059, parag 0065, lns 1-5; parag 0069, lns 9-13). It would have been obvious to acknowledge a location of an alarm condition so that the source of an alarm condition is acknowledged and investigated.

For claim 13, Irwin does not disclose a location device communicatively connected to the portable computer; however, Peeters discloses a GPS location device

(parag 0059, parag 0065, lns 1-5; parag 0069, lns 9-13). It would have been obvious to incorporate GPS into or communicatively connected to a portable computer so that the source of an alarm condition is acknowledged and investigated.

8. Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin et al. (US 6,300,871), and further in view of Wagner (US 2004/0174260).

For claims 6 and 7, Irwin does not disclose a memory-cell based SRAM radiation detector; however, Wagner discloses this feature (Fig. 6, items 446, 410; parag 0046; parag 0064, lns 1-7; parag 0065, lns 1-7; parag 0069, lns 1-3; parag 0071, lns 14-17). It would have been obvious to include a radiation sensor so that an individual working around radioactive materials is alerted when radiation either reaches or exceeds a predetermined threshold. Similarly, it would have been obvious to include a radiation sensor with SRAM so that an item located in an inaccessible area is monitored for exposure to radiation to ensure the safety of individuals who may potentially come into contact with the item.

For claim 8, Irwin discloses a second detector communicatively connected to the portable computer (Fig. 1, item 12).

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin et al. (US 6,300,871), as applied to claim 1, and further in view of Rhoades et al. (US 6,741,174).

Irwin does not disclose a laptop computer; however, Rhoades discloses this feature (col 5, lns 25-29; col 7, lns 22-25; Fig. 1, items 20, 40). It would have been

obvious to include a laptop computer as a portable device so that data and processing power is mobile so that a laptop computer is moved among a plurality of sensors.

10. Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin et al. (US 6,300,871), and further in view of Peeters (US 2004/0119591).

For claims 26 and 27, the claims are interpreted and rejected for the same reasons as stated in the rejection of claims 12 and 13 as stated above. In addition, it is obvious that the location of detector is recorded (at least for a short amount of time) so that the GPS coordinates are transmitted to a remote network (parag 0069, lns 9-12).

For claim 28, Irwin discloses transmitting the alarm signal of the detector via a communication device (Fig. 1, item 20, 22; col 6, lns 37-39) communicatively connected to the portable computer; however, Irwin does not disclose transmitting the location of the detector via a communication device communicatively connected to the portable computer. Peeters, on the other hand, discloses this feature (parag 0069, lns 9-13). It would have been obvious to acknowledge an alarm condition at a particular location so that the source of an alarm condition is acknowledged and investigated.

For claim 29, the claim is interpreted and rejected for the same reasons as stated in the rejection of claim 5 as stated above.

For claim 30, Irwin discloses a second detector communicatively connected to the portable computer (Fig. 1, item 12).

11. _ are rejected under 35 U.S.C. 103(a) as being unpatentable over Irwin et al. (US 6,300,871), and further in view of Wagner (US 2004/0174260).

The claims are interpreted and rejected for the same reasons as stated in the rejection of claims 6 and 7, respectively.

Conclusion

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A Stone whose telephone number is (571) 272.2976. The examiner can normally be reached on M-F from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass, can be reached at (571) 272.2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Stone
September 22, 2005

JEFFERY HOFSASS
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